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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,167	07/15/2003	Fumikazu Shimoshikiryoh	49185 CON (70840)	4293

21874 7590 01/25/2006

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P.O. BOX 55874
BOSTON, MA 02205

EXAMINER

RUDE, TIMOTHY L

ART UNIT	PAPER NUMBER
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2883

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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10/621167

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20060123

DATE MAILED:

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Commissioner for Patents

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 19 September 2005 has been entered.

The amendment filed on 14 November 2005 amended the only base claim to be drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the originally presented claims to a third retarder were drawn to the species of third retarder having positive refractive index anisotropy as opposed to the newly amended limitations drawn to biaxial refractive index anisotropy.

Applicant may add any number of species, but may have only one new species examined per generic property [MPEP 818.02(b)]. Applicant may not add any alternate species to those originally acted upon by the office [MPEP 818.01]. Applicant may file a divisional to pursue alternate species.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Frank G. Font
Supervisory Patent Examiner
Technology Center 2800